

## CIVIL DOCKET

21-0228

Filed: 01/29/2021

**Injury or Damage – Motor 22nd District Court**

**TOMAS LEAL VS. JOHN DOE #1 A/K/A "WESTON" AND  
BYRON TRUCKING, INC.**

Plaintiff  
**Leal, Tomas**

Lead Attorney  
**Simmons, Gregory S**

Defendant  
**Doe #1, John  
Byron Trucking, Inc.**

Lead Attorney

100,001-16,2546



# **ORDERS OF THE COURT**

Case 1:21-cv-00225-RP Document 1-1 Filed 03/10/21 Page 2 of 17

**ORDERS OF THE COURT**

FILED  
1/29/2021 9:17 AM  
Beverly Crumley  
District Clerk  
Hays County, Texas

21-0228

NO. \_\_\_\_\_

**TOMAS LEAL**  
Plaintiff,

V.

**JOHN DOE #1 A/K/A "WESTON" and**  
**BYRON TRUCKING, INC.**  
Defendant.

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**IN THE DISTRICT COURT**  
\_\_\_\_\_ **JUDICIAL DISTRICT**  
\_\_\_\_\_ **OF HAYS COUNTY, TEXAS**

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**PLAINTIFF'S ORIGINAL PETITION,  
TRCP 193.7 NOTICE OF SELF-AUTHENTICATION, AND  
TRCP REQUEST FOR DISCLOSURE**

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**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES TOMAS LEAL**, hereinafter called Plaintiff, complaining of and about **JOHN DOE #1 A/K/A "WESTON" and BYRON TRUCKING, INC.**, hereinafter called Defendants, and for cause of action shows unto the Court the following:

**I.**

**DISCOVERY CONTROL PLAN LEVEL**

1. Plaintiff intends that discovery be conducted under Discovery Level 3.

**II.**

**PARTIES AND SERVICE**

2. Plaintiff, **Tomas Leal**, is an Individual who resides in Guadalupe County, Texas.
3. Defendant **JOHN DOE #1 A/K/A "WESTON"**, an Individual who, at the time of the occurrence in question was acting in the course and scope of his employment for **Byron Trucking, Inc.**. He may be served with process for purposes of this action by serving **Byron Trucking, Inc.** by serving its Registered Agent for Service of Process: **CASSIDY NEE, ALL AMERICAN AGENTS OF PROCESS**, at 5100 Edina Industrial Blvd, Ste 230, Edina, MN 55439-3007. As used herein, "**Weston**" means the true name of the employee of **Byron Trucking**

Inc. who was operating the machinery involved in Plaintiffs injury at the time of the occurrence in question. Pursuant to Tex.Civ.Prac. & Rem. Code §16.0045, this Defendant's true name will be substituted after Defendants identify his true name.

4. Defendant **Byron Trucking, Inc.**, is a foreign limited liability company organized and existing under the laws of the state of Minnesota, which may be served with process by serving its registered agent: CASSIDY NEE, ALL AMERICAN AGENTS OF PROCESS, at 5100 Edina Industrial Blvd, Ste 230, Edina, MN 55439-3007. As used herein, "**Byron Trucking, Inc.**" means and includes its agents, servants, employees, and vice-principals acting in the course and scope of their duties and responsibilities for this Defendant, including but not limited to John Doe #1 a/k/a "Weston"

**III.**  
**JURISDICTION AND VENUE**

5. The subject matter in controversy is within the jurisdictional limits of this court.
6. Plaintiff seeks monetary relief over \$1,000,000.
7. Venue in Hays County is proper in this cause under Section 15.002(a)(1) of the Texas Civil Practice and Remedies Code because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in this county.

**IV.**  
**FACTS**

8. On or about September 30, 2020, Plaintiff was operating his motor vehicle in a lawful manner at the intersection of Hwy 123 NB and FM110 in San Marcos, Hays County, Texas, when suddenly, violently, and without warning, his vehicle was struck in the rear by a vehicle driven by defendant, John Doe #1 a/k/a "Weston". At all material times, the plaintiff was

lawfully stopped due to a traffic signal, when the defendant, John Doe #1 a/k/a "Weston", who was driving a vehicle owned by and with the permission of Byron Trucking, Inc. behind the Plaintiff, was not paying attention and failed to stop. In doing so, Defendant, John Doe #1 a/k/a "Weston", collided directly into the rear of the plaintiff's truck. As a result of the collision, Plaintiff sustained injuries to his neck, back and other parts of his body, as more fully set forth below.

9. At all times material to this action, the Defendant, John Doe #1 a/k/a "Weston", was acting in the course and scope of his employment for Byron Trucking, Inc.

V.

**CAUSES OF ACTION AGAINST DEFENDANT, JOHN DOE #1 A/K/A "WESTON"**

**A. NEGLIGENCE**

10. Defendant, John Doe #1 a/k/a "Weston", had a duty to exercise the degree of care that a reasonably careful person would use to avoid harm to others under circumstances similar to those described herein.

11. Plaintiff's injuries were proximately caused by Defendant's, John Doe #1 a/k/a "Weston", negligent, careless and reckless disregard of said duty.

12. The negligent, careless and reckless disregard of duty of Defendant, John Doe #1 a/k/a "Weston", consisted of, but is not limited to, the following acts and omissions:

- A. In that Defendant, John Doe #1 a/k/a "Weston", failed to keep a proper lookout for Plaintiff's safety that would have been maintained by a person of ordinary prudence under the same or similar circumstances;
- B. In that Defendant, John Doe #1 a/k/a "Weston", failed to turn his motor vehicle to the left or right in an effort to avoid the collision complained of;
- C. In that Defendant, John Doe #1 a/k/a "Weston", failed to maintain a clear and reasonable distance between Plaintiff's motor vehicle and Defendant's motor

vehicle which would permit Defendant, John Doe #1 a/k/a "Weston", to bring his motor vehicle to a safe stop without colliding into Plaintiff's motor vehicle;

- D. In that Defendant, John Doe #1 a/k/a "Weston", failed to keep such distance away from Plaintiff's motor vehicle as a person using ordinary prudent care would have done; and
- E. In that Defendant, John Doe #1 a/k/a "Weston", was operating his motor vehicle at a rate of speed which was greater than that would have been operated by a person of ordinary prudence under the same or similar circumstances.

**B. NEGLIGENCE PER SE**

13. Defendant's conduct described herein constitutes an unexcused breach of duty imposed by V.T.C.A. Transportation Code § 545.062.

14. The statute imposes the duty on operators of motor vehicles to maintain an assured clear distance between the two vehicles so that, considering the speed of the vehicles, traffic, and the conditions of the highway, the operator can safely stop without colliding with the preceding vehicle or veering into another vehicle, object, or person on or near the highway. John Doe #1 a/k/a "Weston" violated this duty when he failed to maintain an assured clear distance between his and the Plaintiff's vehicles and collided into the rear of the plaintiff's vehicle.

15. Plaintiff is member of the class that V.T.C.A. Transportation Code § 545.062 was designed to protect.

16. Defendant's unexcused breach of the duty imposed by V.T.C.A. Transportation Code § 545.062 proximately caused the Plaintiff's injuries described herein.

**C. GROSS NEGLIGENCE**

17. Defendant's acts or omissions described above, when viewed from the standpoint of Defendant, John Doe #1 a/k/a "Weston", at the time of the act or omission, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to Plaintiff and

others. Defendant, John Doe #1 a/k/a "Weston", had actual, subjective awareness of the risk involved in the above-described acts or omissions, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of Plaintiff and others.

18. Based on the facts stated herein, Plaintiff requests exemplary damages be awarded to Plaintiff from Defendant, John Doe #1 a/k/a "Weston".

VI.

**CAUSES OF ACTION AGAINST DEFENDANT, BYRON TRUCKING, INC.**

**A. NEGLIGENCE**

19. Defendant Byron Trucking, Inc. had a duty to exercise the degree of care that a reasonably careful person would use to avoid harm to others under circumstances similar to those described herein.

20. Plaintiff's injuries were proximately caused by Defendant Byron Trucking, Inc.'s negligent, careless and reckless disregard of said duty.

21. The negligent, careless and reckless disregard of duty of Defendant Byron Trucking, Inc. consisted of, but is not limited to, the following acts and omissions::

- a. Negligent hiring and supervision;
- b. Negligent entrustment;
- c. Negligent training and safety implementation;
- d. Negligent retention; and
- e. Such other and further negligence and negligence per se as discovery may reveal.

22. Each and all of the foregoing acts and or omissions were negligent and constituted negligence and were each and all the proximate cause of the incident which forms the basis of

this suit, and was a proximate cause of Plaintiff's injuries and damages.

**B. RESPONDEAT SUPERIOR**

23. At all times material hereto, all of the agents, servants, and/or employees for Defendant, who were connected with the occurrence made the subject of this suit, were acting within the course and scope of their employment or official duties and in furtherance of the duties of their office or employment. Therefore, Defendant is further liable for the negligent acts and omissions of its employees under the doctrine of *Respondeat Superior*.

24. Each and all of the foregoing acts and or omissions of the agents, servants, and/or employees for Defendant was negligent and constituted negligence and were each and all the proximate cause of the incident which forms the basis of this suit, and was a proximate cause of Plaintiff's injuries and damages.

**C. GROSS NEGLIGENCE**

25. Defendant's acts or omissions described above, when viewed from the standpoint of Defendant at the time of the act or omission, involved an extreme degree of risk, considering the probability and magnitude of the potential harm to Plaintiff and others. Defendant had actual, subjective awareness of the risk involved in the above-described acts or omissions, but nevertheless proceeded with conscious indifference to the rights, safety, or welfare of Plaintiff and others.

26. Based on the facts stated herein, Plaintiff requests exemplary damages be awarded to Plaintiff from Defendant.

27. The above act and/or omissions were singularly and cumulatively the proximate cause of the occurrence in question and the resulting injuries and damages sustained by Plaintiff.

Each of these acts and/or omissions, whether take singularly or in any combination constitute negligence, negligence per se, and gross negligence which proximately cause the collision and injuries and other losses as specifically set forth herein.

**VII.**  
**DAMAGES**

28. As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff was caused to suffer severe bodily injuries to his neck, back, and other parts of his body generally. Plaintiff's entire body was tossed in the vehicle and she suffered great shock to his entire nervous systems. The injuries are permanent in nature. The injuries have had a serious effect on the Plaintiff's health and well-being. Some of the effects are permanent and will abide with the Plaintiff for a long time into the future, if not for his entire life. These specific injuries and their ill effects have, in turn, caused the Plaintiff's physical and mental condition to deteriorate generally and the specific injuries and ill effects alleged have caused and will, in all reasonable probability, cause the Plaintiff to suffer consequences and ill effects of this deterioration throughout his body for a long time in the future, if not for the balance of his natural life. As a further result of the nature and consequences of his injuries, the Plaintiff suffered great physical and mental pain, suffering and anguish and in all reasonable probability, will continue to suffer in this manner for a long time into the future, if not for the balance of his natural life, and to incur the following damages:

1. Pain and suffering in the past;
2. Pain and suffering in the future;
3. Mental anguish in the past;
4. Mental anguish in the future;
5. Past medical expenses;
6. Future medical expenses;

7. Physical impairment in the past;
8. Physical impairment in the future;
9. Physical disfigurement in the past;
10. Physical disfigurement in the future;
11. Property damage;
12. Pre-judgment interest;
13. Post-judgment interest; and
14. Exemplary damages;

**VIII.  
INTEREST**

29. Plaintiff seeks pre-judgment and post-judgment interest allowed by law.

**IX.  
DEMAND FOR JURY TRIAL**

30. Plaintiff demands a trial by jury. Plaintiff acknowledges payment this date of the required jury fee.

**X.  
REQUEST FOR DISCLOSURE**

31. Pursuant to RULE 194 of the TEXAS RULES OF CIVIL PROCEDURE, Defendant is requested to disclose, within fifty (50) days of service hereof, the information and material described in each section of RULE 194.2.

**XI.  
NOTICE OF SELF-AUTHENTICATION**

32. Pursuant to RULE 193.7 of the TEXAS RULES OF CIVIL PROCEDURE, Defendant is hereby noticed that the production of any document in response to written discovery authenticates the document for use against that party in any pretrial proceeding or at trial.

**XII.  
DESIGNATED E-SERVICE EMAIL ADDRESS**

33. The following is the undersigned attorney's designated E-Service email address for all e-served documents and notices, filed and unfiled, pursuant to Tex. R. Civ. P. 21(f)(2) & 21a:

gsimmons-svc@thomasjhenrylaw.com. This is the undersigned's only E-Service email address, and service through any other email address will be considered invalid.

**PRAYER**

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff, respectfully prays that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant for damages in an amount within the jurisdictional limits of the Court; exemplary damages, excluding interest, and as allowed by Sec. 41.008, Chapter 41, Texas Civil Practice and Remedies Code, together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

**THOMAS J. HENRY, INJURY ATTORNEYS**  
5711 University Heights Blvd., Suite 101  
San Antonio, Texas 78249  
Phone: (210) 656-1000  
Fax: (361) 985-0601

By: Gregory S. Simmons  
Gregory S. Simmons  
Texas Bar No. 24027982  
Email: gsimmons-svc@thomasjhenrylaw.com  
**ATTORNEYS FOR PLAINTIFF**  
*\*Service by e-mail to this address only*

\* Plaintiff designates the above-referenced e-mail address as the only e-mail address to be used for service via e-filing. Notice is hereby given that e-mails sent to any other e-mail address will not be accepted for the purposes of service in this cause. If e-filing is not currently available, then service will be designated in accordance with the Texas Rules of Civil Procedure.

CITATION  
THE STATE OF TEXAS  
CAUSE NO. 21-0228

FILED this 25 day of February  
2021 1:29 P.M.  
CLERK DISTRICT COURT, HAYS CO. TX  
By: Jane May Deputy

STYLED: TOMAS LEAL VS. JOHN DOE #1 A/K/A "WESTON" AND BYRON TRUCKING, INC.

TO: BYRON TRUCKING, INC., UPON WHOM PROCESS MAY BE HAD BY SERVING ITS REGISTERED AGENT CASSIDY NEE, ALL AMERICAN AGENTS OF PROCESS, 5100 EDINA INDUSTRIAL BLVD, STE. 230, EDINA, MN 55439-3007

**NOTICE TO DEFENDANT:** "You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 am on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org."

Attached is a copy of the PLAINTIFF'S ORIGINAL PETITION, TRCP 193.7 NOTICE OF SELF-AUTHENTICATION, AND TRCP REQUEST FOR DISCLOSURE, which was filed by the PLAINTIFF, in the above styled and numbered cause on the 29TH DAY OF JANUARY, 2021, in the 22nd District Court of Hays County, San Marcos, Texas.

Issued and given under my hand and seal of said Court at San Marcos, Texas on this the 2nd day of February, 2021.

REQUESTED BY:

Gregory S Simmons  
Law Office of Thomas J Henry  
5711 University Heights Blvd Suite 101  
San Antonio TX 78249  
210-656-1000

BEVERLY CRUMLEY  
Hays County District Clerk  
Hays County Government Center  
712 S. Stagecoach Trail, Ste. 2211  
San Marcos, Texas 78666

By: Jane May  
Jane May, Deputy

OFFICER'S RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M and executed the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by delivering to defendant \_\_\_\_\_ in person, a true copy of this citation with a copy of the petition attached thereto on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_ M at \_\_\_\_\_ in \_\_\_\_\_ County, Texas.

[ ] Not executed. The diligence used in finding defendant being \_\_\_\_\_

[ ] Information received as to the whereabouts of defendant being \_\_\_\_\_

Service Fee:\$\_\_\_\_\_

SHERIFF/CONSTABLE/AUTHORIZED PERSON  
BY: \_\_\_\_\_

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Printed Name of Server

NOTARY PUBLIC, THE STATE OF TEXAS

County, Texas

**ORIGINAL FOR RETURN**

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Certified Mail Fee **210528**

Extra Services & Fees (checkbox, add fee as appropriate)

Return Receipt (hardcopy) \$ \_\_\_\_\_  
 Return Receipt (electronic) \$ \_\_\_\_\_  
 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
Here

Postage  
\$ \_\_\_\_\_

Byron Trucking, Inc.,  
Registered Agent Cassidy Nee  
Total Postage \$ \_\_\_\_\_

Sent to All American Agents of Process  
Street and: 5100 Edina Industrial Blvd, Suite 230  
City, State: Edina, Mn 55439-3007

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

MSHULMAN & SAKRIOPO

Cause No. 21-0228

Style: TOMAS LEAL VS. JOHN DOE #1 A/K/A "WESTON" AND BYRON TRUCKING, INC.

Certificate of Delivery by Certified Mail

Came to hand on this the 2nd day of February, 2021 and I hereby certify on February 02, 2021, I executed the citation by mailing the same to BYRON TRUCKING, INC. at C/O REGISTERED AGENT CASSIDY NEE, ALL AMERICAN AGENTS OF PROCESS, 5100 EDINA INDUSTRIAL BLVD., STE. 230, EDINA, MN 55439-3007 by certified mail, return receipt requested, a true copy of this citation with a copy of the PLAINTIFF'S ORIGINAL PETITION, TRCP 193.7 NOTICE OF SELF-AUTHENTICATION, AND TRCP REQUEST FOR DISCLOSURE attached thereto.

Article No. 7019 2970 0002 2645 8273

Service Type

Certified Mail, Return Receipt Requested

Registered Mail

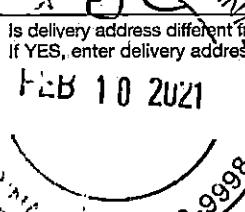
Service Fee \$ 75.00

The postal service return, certified mail, return receipt requested, showing the date and manner of receipt with addressee's signature is attached hereto and made a part hereof and was received and filed in my office on the 25<sup>th</sup> day of February, 2021.

Beverly Crumley, District Clerk  
Hays County, Texas

By:

Jane May, Deputy

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Complete items 1, 2, and 3.</li> <li><input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</li> <li><input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature</p> <div style="text-align: center;"></div> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)</p> <div style="text-align: center;"></div> <p>C. Date of Delivery</p> <div style="text-align: center;">2/8/21</div> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below:  Feb 10 2021</p>	
<p>Byron Trucking, Inc., Registered Agent Cassidy Nee All American Agents of Process 5100 Edina Industrial Blvd, Suite 230 Edina, Mn 55439-3007</p> <p> 9590 9402 4535 8278 6911 56</p> <p>2. Article Number (Transfer from service label)</p> <div style="border: 1px solid black; padding: 2px; display: inline-block;">7019 2970 0002 2645 8273</div>		<p>3. Service Type</p> <p>55439-3007</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Priority Mail Express®</li> <li><input type="checkbox"/> Registered Mail™</li> <li><input type="checkbox"/> Registered Mail Restricted Delivery</li> <li><input type="checkbox"/> Return Receipt for Merchandise</li> <li><input checked="" type="checkbox"/> Signature Confirmation™</li> <li><input type="checkbox"/> Signature Confirmation Restricted Delivery</li> </ul> <p>Tail Tail Restricted Delivery</p>	

CITATION  
THE STATE OF TEXAS  
CAUSE NO. 21-0228

FILED this 25 day of February  
2021 1:29 P.M.  
CLERK DISTRICT COURT, HAYS CO. TX  
By: Jane May Deputy

STYLED: TOMAS LEAL VS. JOHN DOE #1 A/K/A "WESTON" AND BYRON TRUCKING, INC.

TO: JOHN DOE #1 A/K/A "WESTON" UPON WHOM PROCESS MAY BE HAD BY SERVING BYRON TRUCKING, INC. BY ITS REGISTERED AGENT CASSIDY NEE, ALL AMERICAN AGENTS OF PROCESS, 5100 EDINA INDUSTRIAL BLVD, STE. 230, EDINA, MN 55439-3007

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Issued and given under my hand and seal of said Court at San Marcos, Texas on this the 2nd day of February, 2021.

REQUESTED BY:

Gregory S Simmons  
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5711 University Heights Blvd Suite 101  
San Antonio TX 78249  
210-656-1000

BEVERLY CRUMLEY  
Hays County District Clerk  
Hays County Government Center  
712 S. Stagecoach Trail, Ste. 2211  
San Marcos, Texas 78666

By: Jane May  
Jane May, Deputy

OFFICER'S RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_M and executed the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by delivering to defendant \_\_\_\_\_ in person, a true copy of this citation with a copy of the petition attached thereto on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_M at \_\_\_\_\_ in \_\_\_\_\_ County, Texas.

[ ] Not executed. The diligence used in finding defendant being \_\_\_\_\_

[ ] Information received as to the whereabouts of defendant being \_\_\_\_\_

Service Fee: \$\_\_\_\_\_

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

SHERIFF/CONSTABLE/AUTHORIZED PERSON  
BY: \_\_\_\_\_

Printed Name of Server

NOTARY PUBLIC, THE STATE OF TEXAS

County, Texas

**ORIGINAL FOR RETURN**

7019	2970	2970	0002	2645	8245	9999
<b>U.S. Postal Service™</b>						
<b>CERTIFIED MAIL® RECEIPT</b>						
<i>Domestic Mail Only</i>						
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.						
<b>OFFICIAL USE</b>						
<p><b>Certified Mail Fee</b> <b>21-0228</b></p> <p><b>\$</b> _____</p> <p><b>Extra Services &amp; Fees (check box, add fee as appropriate)</b></p> <p><input type="checkbox"/> Return Receipt (handcopy) <b>\$</b> _____</p> <p><input type="checkbox"/> Return Receipt (electronic) <b>\$</b> _____</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery <b>\$</b> _____</p> <p><input type="checkbox"/> Adult Signature Required <b>\$</b> _____</p> <p><input type="checkbox"/> Adult <b>\$</b> _____</p>						
<b>Postmark Here</b> _____						
<p><b>Postage</b> <b>John Doe #1 A/K/A "Weston"</b></p> <p><b>\$</b> _____</p> <p><b>Total Postage</b> <b>Byron Trucking, Inc.</b></p> <p><b>\$</b> _____</p> <p><b>Sent To</b> <b>Registered Agent Cassidy Nee</b></p> <p><b>\$</b> _____</p> <p><b>Street Address</b> <b>All American Agents of Process</b></p> <p><b>5100 Edina Industrial Blvd, Suite 230</b></p> <p><b>City, State</b> <b>Edina, Mn 55439-3007</b></p>						

Cause No. 21-0228

Style: TOMAS LEAL VS. JOHN DOE #1 A/K/A "WESTON" AND BYRON TRUCKING, INC.

Certificate of Delivery by Certified Mail

Came to hand on this the 2nd day of February, 2021 and I hereby certify on February 02, 2021, I executed the citation by mailing the same to JOHN DOE #1 A/K/A "WESTON" at BYRON TRUCKING, INC. C/O REGISTERED AGENT CASSIDY NEE, ALL AMERICAN AGENTS OF PROCESS, 5100 EDINA INDUSTRIAL BLVD., STE. 230, EDINA, MN 55439-3007 by certified mail, return receipt requested, a true copy of this citation with a copy of the PLAINTIFF'S ORIGINAL PETITION, TRCP 193.7 NOTICE OF SELF-AUTHENTICATION, AND TRCP REQUEST FOR DISCLOSURE attached thereto.

Article No. 7019 2970 0002 2645 8266

Service Type

**XXX** -- Certified Mail, Return Receipt Requested

Registered Mail

Service Fee \$75.00

The postal service return, certified mail, return receipt requested, showing the date and manner of receipt with addressee's signature is attached hereto and made a part hereof and was received and filed in my office on the 25<sup>th</sup> day of February, 2021.

Beverly Crumley, District Clerk  
Hays County, Texas

By:

Jane May, Deputy

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece,</li> </ul>		<p>A. Signature</p> <p>X <i>USPS CIR</i></p> <p>B. Received by (Printed Name)</p> <p>C. Date of Delivery</p> <p>2/10/21</p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>FEB 10 2021</p> <p>EDINA MN 55439-3007</p> <p>3. Service Type</p> <p><input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input checked="" type="checkbox"/> Certified Mail®  <input type="checkbox"/> Certified Mail Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Mail  <input type="checkbox"/> Mail Restricted Delivery  <input type="checkbox"/> over \$500</p> <p><input type="checkbox"/> Adult Signature  <input type="checkbox"/> Adult Signature Restricted Delivery  <input type="checkbox"/> Collect on Delivery  <input type="checkbox"/> Collect on Delivery Restricted Delivery  <input type="checkbox"/> Mail  <input type="checkbox"/> Mail Restricted Delivery  <input type="checkbox"/> Priority Mail Express®  <input type="checkbox"/> Registered Mail™  <input type="checkbox"/> Registered Mail Restricted Delivery  <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Signature Confirmation™  <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
1. John Doe #1 A/K/A "Weston" Byron Trucking, Inc. Registered Agent Cassidy Nee All American Agents of Process 5100 Edina Industrial Blvd, Suite 230 Edina, Mn 55439-3007		 9590 9402 4535 8278 6911 49	
2. Article Number. Transfer from service label		7019 2970 0002 2645 8266	